

# **RULES OF THE VANDERBURGH SUPERIOR COURT**

## **LR-82-TR81-1.01**

### **Applicability and Effective Date**

These rules apply to all litigants whether or not represented by counsel. These rules shall be effective beginning January 1, 2006.

## **LR-82-TR81-1.02**

### **Organization of court**

#### **A. Divisions**

The Vanderburgh Superior Court shall be divided into seven (7) divisions and identified as follows:

- |     |                |                                      |
|-----|----------------|--------------------------------------|
| (1) | Division One   | Civil                                |
| (2) | Division Two   | Criminal                             |
| (3) | Division Three | Civil                                |
| (4) | Division Four  | Domestic Relations                   |
| (5) | Division Five  | Civil                                |
| (6) | Division Six   | Small Claims and Misdemeanor Traffic |
| (7) | Division Seven | Juvenile and Probate                 |

Divisions One through Five shall be presided over by six (6) Judges who shall rotate through these divisions on a monthly basis. Division Six shall be presided over by the Magistrates subject to the supervision of one of the Judges. Division Seven shall have assigned thereto a Judge who will serve for a minimum of one (1) year. Judges shall use their Division Six rotation to serve as backup for Division Two.

#### **B. Chief Judge**

There shall be a Chief Judge elected on a date between January 1 and January 31 of each year by the Judges who shall begin his/her term as the Chief Judge on the following February 1<sup>st</sup>. The Chief Judge will be primarily responsible for the efficient and expeditious operation and conduct of the Court. In the absence of the Chief Judge, the Judge sitting in Division One shall act as temporary Chief Judge.

The following Courts shall have Judges elected as supervisors on a yearly basis: drug court, misdemeanor and traffic, small claims and domestic relations. Each Judge so selected shall be responsible for the efficient and expeditious operation of that Court. Each supervisor shall report periodically to the Chief Judge and all other Judges any change in the current operations of that Court. There shall be appointed each year a Supervisor of Information and Technology to oversee and assure the Court's compliance with Administrative Rule 9.

**LR-82-TR03-1.03**  
**Assignment and Disposition**

All Civil cases shall, upon being filed in the office of the Clerk, be assigned in the following manner:

- A. Each Civil Case shall be assigned to one of the six (6) rotating Judges by blind lot in the order presented for filing. The Judge assigned to each case shall have responsibility for all proceedings in that case including hearings of all motions, arguments and petitions. All emergency matters shall be heard by the assigned judge unless he/she is unable to do so, in which case he/she may refer the matter to another Judge. Where the assigned Judge is unavailable to refer the matter, such emergency matter may be heard by any other Judge.
- B. Where a case originates in the Small Claims, Juvenile or Probate Divisions and is transferred to the Civil Division, the clerk shall assign such case to a specific Judge in the same manner as in other Civil Cases.
- C. Parties must wait seven (7) days after obtaining a judgment before filing a Proceedings Supplemental, and the Judgment Entry must be filed with the Court prior to the Proceedings Supplemental being filed.
- D. Proceedings Supplemental hearings shall not be continued for progress after an order of garnishment or a personal order of garnishment has been obtained. To proceed on an information for contempt, a Proceedings Supplemental must have been filed and an order of garnishment or personal order of garnishment obtained.
- E. No cases will be continued without date.
- F. All Civil cases transferred to this Court from another County shall be assigned by the Clerk as provided by the rules stated herein for the assignment of Civil Cases.

**LR-82-SC3-1.04**  
**Small Claims**

All Small Claims matters are assigned to Division Six wherein the following Rules will apply.

- A. On first appearance the Court will not allow service of process to be sent to the defendant's employer. On Proceeding Supplemental the Court will consider proper service for the purpose of obtaining an order of garnishment when service is good upon the employer, even though service may not be good upon the defendant. When the employer refuses service, it can be considered sufficient service for the purpose of an order of garnishment only. Service may be obtained by a process server if an affidavit of service is filed.
- B. Attorney's fees are awarded solely for the principal amount of the debt.

- C. Upon filing of a claim for insufficient funds on bad checks where multiple statutory remedies are available, the claimant should elect which remedy is being requested and list the same on the statement of claim.
- D. Parties must wait seven (7) days after obtaining a judgment before filing a Proceedings Supplemental, and the Judgment Entry must be filed with the Court prior to the Proceedings Supplemental being filed.
- E. Proceedings Supplemental hearings shall not be continued for progress after an order of garnishment or a personal order of garnishment has been obtained. To proceed on an information for contempt, a Proceedings Supplemental must have been filed and an order of garnishment or personal order of garnishment obtained.
- F. No cases will be continued without date.

**LR-82-TR2-1.05**  
**Filing and Pleading**

**A. Preparation of Pleadings, Motions and Other Papers.**

All pleadings, motions and other papers shall be prepared in accordance with the provisions of the Indiana Rules of Trial Procedure. For the purpose of uniformity and convenience, the following requirements shall also be observed.

1. **Format**  
Pleadings, motions and other papers shall be either legibly printed or typewritten on white opaque paper of at least sixteen (16) pound weight, eight and one-half (8 ½) inches wide and eleven (11) inches in length. All copies shall likewise be on white paper of sufficient strength and durability to resist normal wear and tear. If typewritten, the lines shall be double spaced, except for quotations, which shall be indented and single spaced. Script type shall not be used. Margins shall be at least 1 inch. Type face shall be 12. or larger in body, text, and footnotes.
2. **Caption.**  
Every pleading shall contain a caption setting forth the name of the Court, the Division and Room Number, the title of the action and the file number.
3. **Titles.**  
Titles on all pleadings shall delineate each topic included in the pleading, where a pleading contains an Answer, a Motion to Strike or Dismiss or a Jury Request each shall be set forth in the title.
4. **Signature.**  
All pleadings and motions shall contain the signature of the attorney in

written and typed or printed form, the name of the law firm if a member of a firm, the attorney's address, identification number, telephone number, fax number, and the designation as to the party for whom he/she appears.

**B. Filing of Pleadings, Motions and Other Papers.**

1. All pleadings, subsequent to the original complaint, shall be filed in the office of the Judge to whom the case is assigned at any time during the office hours established by the Court. All orders submitted to the Court shall be in sufficient number and shall be accompanied by postage paid envelopes addressed to each party or counsel of record.
2. All appearances by attorneys shall be filed in writing, together with proof of mailing or delivery thereof on counsel of record in compliance with Indiana Rules of Procedure.
3. All filings shall be accompanied by a minute sheet which shall contain the number of the cause, the date, the suggested docket entry and a certificate of proof of service or copies. This minute sheet shall be signed by counsel or Pro Se Party, dated, stamped and filed with the Court. The Court may in its discretion, amend any such form of entry.
4. All order book entries shall contain in their title the date for which said entry was made. A copy of all entries, which result from a hearing or trial, shall be submitted to the opposing counsel at least three (3) days before being presented to the Court.

**C. Signing and Verification of Pleadings, Motions and Other Papers-served on Opposing Party.**

In all cases where any pleading or other document is required to be served, proof of such service may be made either by:

1. a certificate of service signed by counsel of record or pro se party and the certificate shall specify by name and address all counsel upon whom the pleading or document was served, or
2. an acknowledgment of service signed by the party served or counsel of record.

**D. Pleading - Legible Copies**

All pleadings filed and served upon opposing parties shall be clear and legible.

**E. Removal of Files**

No pleading other than a copy thereof shall be taken from the file. Any person taking any

portion of the Court's files shall be deemed to be in contempt of Court. Upon request, the Clerk shall (subject to Administrative Rule 9) furnish anyone with a copy of all or any part of such files upon payment of a reasonable charge therefore.

**LR-82-TR3.1-1.06**  
**Attorney's Withdrawal**

A. \_\_\_\_ All withdrawals of appearance of counsel shall be in writing and by leave of Court. Leave of Court shall be granted only upon the following circumstances:

1. The filing of an appearance by new counsel for said client; or
2. Upon notice and hearing of the Petition for Leave to Withdraw, which said notice of hearing shall be served on the client at least 10 days prior to the hearing on the Petition for Leave to Withdraw. The Notice to the client shall include a copy of the Petition for Leave to Withdraw. Notice to the client shall also inform the client that the client can obtain new counsel or the client can represent himself/herself, if permissible, and that the client is required to notify the Court within 30 days of the withdrawal of the client's decision. The Notice shall also include the name of the Judge assigned to the case and the address of the Court with information sufficient to advise the client that a failure to respond may result in the dismissal of the matter before the Court. Proof of service of the Notice shall be made by certified mail, return receipt, to be filed with the court on or before the date of the hearing.

B. \_\_\_\_ A Petition for Leave to Withdraw shall include the following:

1. The last known address of the client and phone number
2. The date the case is assigned for trial, if any
3. A statement of any current motions pending before the Court
4. A statement of the status of the case, including a verified statement that all entries have been filed.

**LR-82-TR76-1.07 No Change**  
**Change of Venue - Costs**

When a change of venue from the county is granted, the costs of the change shall be paid to the Clerk by the party seeking the change within seven (7) days after the date of the order of the Court is made directing to which county the case is to be venued. A party who fails to pay the costs of the change within the time prescribed herein, shall not be entitled to a change of venue from the county.

**LR-82-TR6-1.08**  
**Extensions of Time**

The time limits set out in these local rules, where allowable under the Indiana Rules of Trial Procedure, shall be extendable by order of the Court.

Each party required to respond to a complaint, counterclaim, or cross-claim, in all civil cases may obtain an automatic extension of time of thirty (30) days to plead or otherwise respond to such claim by filing a Notice of Extension with the Clerk and serving a copy of same upon all parties. Requests for additional extensions of time must be made by motion and hearing unless agreed to by the parties.

**LR-82-AD00-1.09**  
**Attorney Promptness**

Attorneys are expected to be prompt in their attendance of matters assigned for hearing. Failure to appear promptly or to notify the Court of an inability to attend a hearing at the time and place indicated may result in imposition of sanctions allowable and deemed appropriate by the Court.

**LR-82-TR16-1.10**  
**Scheduling Conference**

- A. Upon the closing of the issues in civil cases, the Court may order or the parties may request, a Scheduling Conference. At the Scheduling Conference, the Court shall establish deadlines and time limits to insure the progress of the litigation and will enter a Scheduling Order. To the extent that the parties are in a position to discuss and/or apprise the Court of those matters set forth in subparts (1) through (16) of Local Rule 10 in the course of the Scheduling Conference, such should be raised.
- B. The Scheduling Order will include, among other things, a date certain for an attorneys conference and a Pre-Trial Conference
- C. The dates contained in the Court's Scheduling Order may be amended by the Court on its own motion or at the request of one or more of the parties.
- D. Upon completion of the Scheduling Conference, the parties shall submit to the Court for its approval, a completed schedule similar to that contained in Appendix A.

**LR-82-TR16-1.11**  
**Pre-Trial Conference**

The normal Pre-Trial requirements are set forth in Rule 16 of the Indiana Rules of Civil

Procedure. The counsel who will try the lawsuit shall attend the Pre-Trial Conference prepared to discuss the following:

- (1) Whether there is a question of jurisdiction over the person or the subject matter of the action;
- (2) Whether all parties, plaintiff or defendant, have been correctly designated;
- (3) Whether there are any questions concerning the joinder of parties or claims;
- (4) Whether a third party complaint or impleading petition is contemplated;
- (5) Whether there is a question of appointment of a guardian ad litem, next friend, administrator, executor, receiver or trustee;
- (6) The time reasonably required for the completion of discovery;
- (7) Whether there are pending motions;
- (8) Whether a trial by jury has been timely demanded;
- (9) Whether separation of claims, defenses or issues would be desirable, and if so, whether discovery shall be limited to the claims, defenses, or issues first to be tried;
- (10) Whether related actions are pending or contemplated in any Court;
- (11) The estimated time required for trial;
- (12) Whether mediation has occurred;
- (13) Whether it is possible to make stipulations of fact;
- (14) Whether the Court may assist in the settlement of the case;
- (15) Any significant evidentiary issues; and
- (16) Any other matters of which the Court should be advised.

At the conclusion of the Pre-Trial Conference, the Court will make its Pre-Trial Order as contemplated by Trial Rule 16 of the Indiana Rules of Trial Procedure and make distribution to all parties.

## **LR-82-TR12-1.12**

### **Motions, Petitions and Continuances**

#### **A. Separate Briefs for Motions and Petitions**

1. A motion to Dismiss under Rule 12 of the Indiana Rules of Trial Procedure, for judgment on a pleading, for more definite statement, or to strike, shall be accompanied by a separate supporting Brief. If multiple motions are within the same filing, said motion shall be separated by identity in the title.
2. Parties shall have thirty (30) days after the initial brief in which to serve and file an Answer Brief, and the moving party shall have fifteen (15) days after service of the Answer Brief in which to serve and file a Reply Brief
3. The provision of this rule requiring a separate Supporting Brief shall apply to every defense asserted pursuant to Rule 12(b) of the Indiana Rules of Trial Procedure, whether asserted in the responsive pleading or by separate motion.

4. Each party shall supply a proposed Order with the Brief or Reply.

**B. Request for Hearing**

All Motions or Petitions in the Civil Division in which a hearing is requested by a party must include a statement by the attorney filing the motion or petition, as follows:

1. That five (5) days prior to the filing of the motion or petition, opposing counsel has been notified that said motion or petition would be filed; and
2. The hearing date for said motion or petition was approved by the Court and consented to by the opposing party.

**LR-82-TR16-1.13  
Readiness Conference**

A. At least ten (10) days prior to trial, the Court may set a Readiness Conference. In addition to Counsel for the parties, the Court may order that one or more of the parties themselves attend the Readiness Conference. The Readiness Conference shall include:

1. A statement from the parties that they are prepared to proceed to trial
2. A statement from the parties with respect to their progress in obtaining stipulations of fact and authenticity of exhibits
3. A statement as to whether the parties are willing to waive their jury request

B. A readiness conference can be vacated upon the filing of a written stipulation signed by all parties, addressing Items 1 through 3 above and confirming the trial date.

**LR - 82-TR16-1.14  
Trial Briefs**

A. Unless ordered otherwise at the Scheduling Conference, trial briefs may be furnished to the Court by the parties at least two (2) weeks prior to the Readiness Conference. Copies of any such trial briefs shall be furnished to opposing counsel and served in the same manner as other pleadings. Opposing counsel shall have seven (7) days to file a response brief thereto.

B. In the event any party intends to file motions in limine, they shall be filed at least two (2) weeks prior to the Readiness Conference. Such motions and briefs shall be served upon opposing counsel in the same manner as other pleadings. Opposing counsel, after having been so served, shall have seven (7) days to file any response and shall serve the moving party in the same manner as other pleadings.

**LR-82-TR51-1.15  
Instructions**

At the readiness conference, counsel for each party shall tender to the court and opposing



counsel, the instructions each party intends to offer at trial. Upon showing of good cause, in order to conform to the evidence, the Court shall permit the parties to amend instructions at the conclusion of the evidence. In all cases, the requirements of Indiana Trial Rule 51 shall apply.

**LR-82-TR42-1.16**

**Custody, Disposition and Withdrawal of Original Records and Exhibits**

- A. Except as provided for in Administrative Rule 7, the custody, distribution, and withdraw of original records and exhibits shall be governed by this rule.
- B. After being marked for identification, models, diagrams, exhibits and materials offered or admitted in evidence in any cause pending or tried in this Court shall be placed in the custody of the Court Reporter, unless otherwise ordered by the Court, and shall not be withdrawn until after time for an appeal has run or the case is disposed of otherwise. Should an appeal be taken, such items shall not be withdrawn until the final mandate of the reviewing Court is filed in the office of the Clerk, and until the case is disposed of as to all issues unless otherwise ordered.
- C. Subject to provisions of subsection A, B and D hereof, unless otherwise ordered, all models, diagrams, documents, exhibits or material placed in custody of the Court shall be retrieved by the party offering them in evidence within ninety (90) days after the case is decided. In cases in which an appeal is taken, said items shall be removed within thirty (30) days after the case is disposed of as to all issues, unless otherwise ordered. At such time of removal, a detailed receipt shall be provided by the party retrieving the evidence and filed in the cause. No motion or order is required as a prerequisite to the removal of an exhibit pursuant to this subpart.
- D. If the parties or their attorneys shall neglect to remove models, diagrams, exhibits or material within sixty (60) days of when the case is disposed of, the Court may direct disposition of the same.
- E. Contraband exhibits, such as controlled substances, money and weapons shall be released to the investigative agency at the conclusion of the trial and not placed in the custody of the Court Reporter. A receipt shall be issued and a photograph substituted when such contraband exhibits are released.
- F. Except as otherwise herein provided, with respect to the dispositions of models and exhibits, no person shall withdraw any original paper, pleading, record, model or exhibit from the custody of the Clerk or other office of the Court having custody thereof except on order of the Judge of this Court.

**LR-82-TR37-1.17**

**Attorneys Conference Concerning Motions and Objections Relating to  
Discovery and Motions to Compel Discovery**

The Court shall refuse to rule on any motion seeking sanctions in discovery, unless the moving counsel shall first file a verified statement reciting that after personal consultation and a good faith effort to resolve differences, the parties are unable to reach an accord. This statement should recite the date, time and place of said consultation. If counsel for any party advises the Court, in writing, that opposing counsel has refused or delayed meeting and discussing the problems covered in this rule, the Court may take such action as is appropriate to avoid delay. The term “personal consultation” as used in this rule shall also include telephonic conferences.

**LR-82-TR69-1.18**  
**Post-Judgment Proceeding**

No post-judgment proceedings shall be instituted until there is a final decree or judgment entered of record with the Vanderburgh County Clerk’s Office. The Court may waive this requirement where it is shown a party is being unduly harmed by its enforcement.

**LR-82-TR81-1.19**  
**Assignment of Judges within the Court**

The Judges shall rotate their sitting in the respective Divisions of this Court consecutively in numerical order. The rotation shall commence on the first Monday of each month. Any new Judge replacement shall sit in the Division of the Judge whom he/she replaces unless otherwise agreed by majority vote of the Court as a whole. The Court, by a date not later than the first day of December or the first business day thereafter, shall publish a schedule of the sessions of this Court for the following calendar year of the Court together with the names of the Judges who will be sitting in the Divisions of this Court during each session thereof similar to Appendix B as attached hereto.

**LR-82-TR63-1.20**  
**Judges Pro Tempore**

All appointments of Judges Pro Tempore shall be made by the Chief Judge or by the Judge assigned to the Division wherein the pro tem will sit.

**LR-82-TR55-1.21**  
**Default Judgments - Attorneys Fees**

Application for default judgment requesting an allowance of attorney’s fees shall be accompanied by an affidavit executed by the attorney requesting the fee. The affidavit shall be in a form and substance to enable the Court to determine if attorney’s fees are appropriate, and if so, the reasonable amount thereof. Said affidavit shall support the request by setting forth the authority for the Court to award attorney’s fees (e.g. contract, statute, etc.) and the basis upon which the proposed fees are computed, such as the number of hours employed and the number of hours anticipated that will be employed pursuing satisfaction of judgment. In the absence of an

affidavit there shall be no attorney's fees allowed.

**LR-82-TR33-1.22**  
**Interrogatories**

A party may, without leave of Court, serve upon another party up to thirty (30) interrogatories including sub-parts.

Any party desiring to serve additional interrogatories upon another party, shall first file a written motion with the Court, identifying the proposed additional interrogatories and setting forth the reasons demonstrating good cause for their use.

**LR-82-TR79-1.23**  
**Special Judge**

In the event a Special Judge does not accept a case under Sections D, E, F, of TR 79, or a Judge of Circuit or Superior Court disqualifies or recuses under Section C of that rule, the case shall be referred to the Court Administrator of Vanderburgh County Superior Court for random reassignment to one of the non-recusing elected Judges of Vanderburgh County in both Circuit and Superior Courts.

**LR-82-AD15-2.24**  
**COURT REPORTERS**

**A. Definitions.** The following definitions shall apply under this Local Rule:

- (1) A Court Reporter is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
- (2) Equipment means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording, storing and transcribing electronic data.
- (3) Work space means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) Page means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana Trial Procedure 74.
- (6) Regular hours worked means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court

to court within the county but remain the same for each week.

(7) Gap hours worked means those hours worked that are in excess of the regular hours worked but not in excess of forty (40) hours per work week.

(8) Overtime hours worked means those hours worked in excess of forty (40) hours per work week.

(9) Work week means a seven (7) consecutive day week that consistently begins and ends on the same day throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

(10) Court means the particular court for which the court reporter performs services. Court may also mean all of the courts in Vanderburgh County.

(11) County indigent transcript means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(12) State indigent transcript means a transcript that is paid for from state funds and is for the use on behalf of litigant who has been declared indigent by a court.

(13) Private transcript means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

## **B. Salaries and per page fees.**

(1) Court reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours, or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap overtime hours; i.e. monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be Four Dollars and Twenty-five Cents (\$4.25) for appellate transcripts and Three Dollars and Seventy-five Cents (\$3.75) for all other transcripts. The Court Reporter shall, after approval by the Court, submit a claim directly to the county for the preparation of any county indigent transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be Four Dollars and Twenty-five Cents (\$4.25) for appellate transcripts and Three Dollars and Seventy-five Cents (\$3.75) for all other transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(4) The maximum per page fee a court reporter may charge for the preparation of a private

transcript shall be Four Dollars and Twenty-five Cents (\$4.25) for appellate transcripts and Three Dollars and Seventy-five Cents (\$3.75) for all other transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(5) The maximum per page fee a court reporter may charge for the preparation of copies of a transcript shall be One Dollar and Fifty Cents (\$1.50).

(6) An additional labor charge of Twenty Dollars (\$20.00) per hour may be charged for the time spent binding the transcript and exhibit binders which reflect an approximate average of the annual Court Reporters' salaries in Vanderburgh County.

(7) Each court reporter shall report, at least on annual basis all transcripts to the Indiana Supreme Court Division of State of Court Administration. The reporting shall be made on forms prescribed by the Division of State of Court Administration.

### **C. Private Practice**

(1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

- (A) The reasonable market rate for the use of equipment, work space and supplies,
- (B) The method by which records are to be kept for the use of equipment, work space and supplies, and
- (C) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

(2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

## **LR-82-AD09-2.25 ACCESS TO COURT RECORDS**

A. The following information is excluded from public access and is confidential:

- 1. Information that is excluded from public access pursuant to Federal Law,
- 2. Information that is excluded from public access pursuant to Indiana Statute or Court Rule,
- 3. All personal notes and email deliberative material of judges, jurors, court staff,

judicial agencies and information recorded in personal data assistants (PDA's) or organizers and personal calendars,

4. Diaries, journals or other personal notes serving as the functional equivalent of a diary or journal, pursuant to Ind. Code 5-14-3-4(b)(7),

5. Advisory or deliberative material created, collected or exchanged by, between or among Judges, including journals or minutes of Judge's Meetings, and

6. Information excluded from public access by specific court order.

B. Access to information which is excluded from public access and is confidential may not be accessed without the prior written authorization of the Judge supervising that office or department which created or archived that information. In some instances, access will require authorization from all Judges of Vanderburgh County.

**LR-82-TR05-2.26**  
**VERIFICATION OF TRIAL RULE 5 PLEADINGS**

All Court Records (pleadings or documents) filed by any party or their attorneys shall contain a verification certifying that the court records complies with the filing requirements of Trial Rule 5 (G) applicable to information excluded from the public record under Administrative Rule 9 (G). A certification in substantially the following language shall be sufficient:

I/We hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative 9(G).

\_\_\_\_\_  
(Signed by party or counsel of record)

**APPENDIX A**  
**SCHEDULING CONFERENCE ORDER**

The parties, by their respective attorneys, reviewed the issues of the cause with the Court at a scheduling conference, and it appearing that the above litigation is at issue, the Court enters the following Order.

1. \_\_\_\_\_ shall be the date by which all parties shall have completed discovery of the issues in this cause or shall have filed their Motion to Compel Discovery.

2. \_\_\_\_\_ shall be the date when plaintiff shall have filed with the Court, and served upon opposing counsel, the specific acts of alleged negligence and/or other specific acts of breach or otherwise that the plaintiff intends to produce evidence upon at the trial.

3. \_\_\_\_\_ shall be the date by when the plaintiff shall file with the Court and serve on opposing counsel a list of plaintiff's prospective witnesses and exhibits together with an itemization of damages the plaintiff intends to produce evidence upon at the time of trial.

4. \_\_\_\_\_ shall be the date by when the defendant shall file with the Court and serve upon opposing counsel the specific acts constituting defenses alleged by the defendant that the defendant intends to produce evidence upon at the time of trial.

5. \_\_\_\_\_ shall be the date by when the defendant shall file with the Court and serve upon opposing counsel a list of defendant's prospective witnesses and exhibits together with an itemization of damages, if any, upon any Counterclaim which the defendant intends to produce evidence upon at the time of trial.

6. \_\_\_\_\_ shall be the date by when the plaintiff supplements or amends any data furnished as required above.

7. \_\_\_\_\_ shall be the date when any party may file a Motion for Summary Judgment upon pleadings and issues for trial.

8. \_\_\_\_\_ shall be the date when each party shall notify the Court that a settlement of issues is not successful and the trial date is confirmed.

9. \_\_\_\_\_ shall be the date when any party is to update their itemization of damages they intend to present evidence upon at the time of trial and for the filing of any Motions in Limine.

10. \_\_\_\_\_ shall be the date by when each party shall submit to the Courts its Proposed Preliminary, if any, and its Final Instructions for the Jury.

11. \_\_\_\_\_ shall be the date on which this cause shall be submitted to trial by jury or by Court.

12. \_\_\_\_\_ shall be the alternate date which this cause may be tried by jury.

13. \_\_\_\_\_ shall be the date on which the counsel for the parties attend a conference of attorneys as contemplated by Indiana Rules of Trial Procedure.

14. \_\_\_\_\_ shall be the date on which the Court will hold its Pre-Trial conference pursuant to Trial Rule 16 of the Indiana Rules of Trial Procedure.

15. \_\_\_\_\_ shall be the date to give Statement of Facts to Court.

**IN THE VANDERBURGH SUPERIOR COURT  
2005 TERM**

The Judges of the Vanderburgh Superior Court have fixed and now publish the following schedule of assignment for the 2005 Term of the Court.

Week of		Div. I Civil	Div. II Crim.	Div. III Civil	Div. IV Dom. Rel.	Div. V Civil	Div. VI Crim.
Jan.	3	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	10	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	17	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	24	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	31	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
Feb.	7	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	14	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	21	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	28	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta



Mar.	7	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	14	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	21	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	28	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
Apr.	4	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	11	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	18	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	25	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
May	2	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	9	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	16	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	23	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	30	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
June	6	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	13	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	20	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	27	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
July	4	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	11	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	18	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
	25	Pigman	Bowers	Trockman	Knight	Tornatta	Lloyd
Aug.	1	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	8	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	15	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	22	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
	29	Lloyd	Pigman	Bowers	Trockman	Knight	Tornatta
Sep.	5	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	12	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	19	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
	26	Tornatta	Lloyd	Pigman	Bowers	Trockman	Knight
Oct	3	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	10	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	17	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	24	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
	31	Knight	Tornatta	Lloyd	Pigman	Bowers	Trockman
Nov	7	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	14	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	21	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
	28	Trockman	Knight	Tornatta	Lloyd	Pigman	Bowers
Dec.	5	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	12	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	19	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman
	26	Bowers	Trockman	Knight	Tornatta	Lloyd	Pigman

**MAGISTRATE 2005 ROTATION**

<b>MONTH</b>	<b>MISDEMEANOR COURT</b>	<b>SMALL CLAIMS</b>	<b>DIVISION IV</b>	<b>JUVENILE COURT</b>	<b>OTHER</b>
<b>JANUARY</b>	HAMILTON		MARCRUM	CAIN	MAURER
<b>FEBRUARY</b>	MARCRUM	HAMILTON	D'AMOUR	CAIN	MAURER
<b>MARCH</b>	D'AMOUR	MARCRUM	HAMILTON	CAIN	MAURER
<b>APRIL</b>	HAMILTON	D'AMOUR	MARCRUM	CAIN	MAURER
<b>MAY</b>	MARCRUM	HAMILTON	D'AMOUR	CAIN	MAURER
<b>JUNE</b>	D'AMOUR	MARCRUM	HAMILTON	CAIN	MAURER
<b>JULY</b>	HAMILTON	D'AMOUR	MARCRUM	CAIN	MAURER
<b>AUGUST</b>	MARCRUM	HAMILTON	D'AMOUR	CAIN	MAURER
<b>SEPTEMBER</b>	D'AMOUR	MARCRUM	HAMILTON	CAIN	MAURER
<b>OCTOBER</b>	HAMILTON	D'AMOUR	MARCRUM	CAIN	MAURER
<b>NOVEMBER</b>	MARCRUM	HAMILTON	D'AMOUR	CAIN	MAURER
<b>DECEMBER</b>	D'AMOUR	MARCRUM	HAMILTON	CAIN	MAURER